



24 May 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Lists of Classifiers under E.O. 11652

1. In a long telephone conversation with David Young of the White House last night, I think I won his acceptance of our intention to furnish the Interagency Classification Review Committee only the titles of the positions to which Top Secret, Secret and Confidential authority is delegated. The background of this is that a major objective of the Administration in the new Order is to be able to know at all times the names of all government people authorized to classify at each of the three levels. I told him we could and would maintain lists within the Agency at all times of the names of the incumbents of each of the positions to which classifying authority has been delegated.

2. I believe each directorate and independent office should maintain lists of all incumbents of each position to which each category of classification authority is delegated. The lists should be kept current, by procedures which automatically furnish to the list-keepers new names of incumbents. Dates of incumbency should be shown. Mr. Young will be satisfied with this, but I think he will want to understand how the machinery works. I think he will want to on some occasion ask to see the lists so he can satisfy himself that the machinery is working. I had indicated that I imagined we might want to arrange that the lists be maintained only within the CIA building. On those occasions we show the Committee or its staff our lists or portions of our lists, we would want to return them to our building and not leave them with the Committee. He had no problem with this. He did make a point, which with I agreed, that the Agency surely is not going to maintain that it could not show to the Committee and its staff under controlled circumstances at least some of the lists the Committee might want to see.



Associate General Counsel

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SUBJECT: Problems in Implementing E.O. 11652

In my conversation with David Young last night, several other points were discussed at some length:

a. The requirement in the Executive Order and the Directive that only persons authorized to classify at Top Secret may exercise the authority to exempt any document — whether Top Secret, Secret or Confidential — from automatic declassification under the General Declassification Schedule simply is not negotiable. A major objective of the Administration has been to cut down on the number of persons in the government who may classify information at each classification category and to cut down on the number of persons who may, in effect, permanently classify. The Executive Order limits this to those with Top Secret classification authority, which was deliberately done and both Messrs. Kissinger and Ehrlichman have instructed Mr. Young to hold the line on this. He acknowledged that he does not doubt that within our Clandestine Services actions by way of blanket authorization by Top Secret classifiers would be given or that Top Secret classifiers' actions on specific individual documents may well be done in perfunctory fashion. On the other hand, it would be more normal and routine that documents out of the Intelligence Directorate, for example, would not be exempt from the General Declassification Schedule.

b. I told Mr. Young that it is our intention to avail ourselves of the language in the Executive Order which permits agencies to establish other means to identify the person who in fact classifies each document, rather than to have the identity of the classifier appear on the document itself. I could not tell him how we will do this because it has not been decided and I

had no doubt that it might be done differently in different offices. What I did assure him was that we are aware that the Order requires it and we will require it in our regulation and we will establish some sort of system to accomplish it.

c. I discussed with Dave Young the fact that under the regulation all documents which are classified at the time of their creation must be either in the General Declassification Schedule or exempt from it. Since documents "in" the Schedule and those "exempt" from the Schedule by those terms constitute 100 percent of all classified documents, the provision in the NSC Directive for the use of three different stamps, instead of two, contradicts that concept. I explained that we are proposing to use two stamps only, by, in effect, combining stamps 1 and 2 which appear in IV.A. of the NSC Directive. He accepted this.



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TO	NAME AND ADDRESS	DATE	INITIALS
1	O/DDI		
2	7E-44 Hqs.		
3	<i>P/W</i>		
4	<i>ESTP</i>		
5	<i>file Declassification</i>		
6			

<input type="checkbox"/> ACTION	<input type="checkbox"/> DIRECT REPLY	<input type="checkbox"/> PREPARE REPLY
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISPATCH	<input type="checkbox"/> RECOMMENDATION
<input type="checkbox"/> COMMENT	<input type="checkbox"/> FILE	<input type="checkbox"/> RETURN
<input type="checkbox"/> CONCURRENCE	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> SIGNATURE

Remarks:

Attached are two Memos of Conversation with David Young concerning implementation of E.O. 11652. They are forwarded for your guidance and information and are self-explanatory.

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

H. C. EISENBEISS, D/CRS

DATE

5/22/72

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